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HISTORY OF USE OF FRESNO RIVER WATER FOR IRRIGATION

by HARRY BARNES

Use of water of the Fresno River for irrigation of valley lands (other than the natural flooding of pasture lands) seems to have been initiated in 1871 or 1872 by Isaac Friedlander who had earlier acquired large holdings of valley land in the general vicinity of what is now Madera. Some idea of the extent of his holdings can be had from early maps of Fresno County.

Mr. Nathan C. Sweet has gathered some information on the activities of Friedlander from the files of the "Fresno Expositor", a pioneer newspaper of Fresno. History, otherwise, has been a matter of piecing together data contained in legal decrees, documents of property transfers, etc. which give a rather fragmentary and irregular picture of development until about 1910, from which date more definite information is available.

The earliest entry is that of July 5, 1871, to the effect that Friedlander sent word - apparently from his San Francisco office - to begin work on the Big Creek Ditch, to turn water from Big Creek, a tributary of Merced River, across the divide into the watershed of the Fresno River. Apparently difficulties were encountered as construction did not begin until the following year, and the ditch was not put in operation until 1873 or 1874 by Friedlander and Washburn. Meanwhile, Friedlander had

gone ahead with his plans to divert water onto valley lands for irrigation. In October, 1872, proposals were called for to build a diversion dam across the Fresno River close to where the Santa Fe Railroad now crosses the river. Contract was also let for construction of a canal from the dam to Cottonwood Creek and beyond. The canal was to be 20 ft. wide on bottom. 60 ft. wide on top and 6 ft. deep.

On October 23, 1872, Friedlander made a filing on the waters of the Fresno River in the amount of 445 cubic feet per second at a point where he proposed to build the dam, about $2\frac{1}{2}$ miles northeast of what is now Madera. Following the filing, he immediately went about securing rights of way for his canals and ditches. Prior to this time, an engineer named Alfred Poett, formerly with the East Indian Irrigation Service, had laid out a system of canals and ditches extending from the dam and between Fresno River and Cottonwood Creek. A copy of the Poett map is on pages 4 and 5.

Meanwhile, the California Lumber Company was building or proposed to build a flume from the mountains near Soquel, some 50 miles to a point near the newly constructed Central Pacific Railroad at what is now Madera, in order to secure shipping facilities

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FRESNO RIVER WATER FOR IRRIGATION

for their lumber. This company already had a small ditch near Soquel which tapped a tributary of the North Fork of the San Joaquin River, to bring water to the watershed of the Fresno River for use in the flume when water in the Fresno was not available.

Apparently Friedlander saw possibilities in this because, in June, 1875, he and W. S. Chapman agreed to reconstruct and enlarge the Soquel Ditch to take all the water of the North Fork of the San Joaquin River into the Fresno River watershed. In return, the lumber company could take from the Fresno River all the water it needed to operate its flume and relinquish any claim to Fresno River water otherwise.

This left Friedlander and Chapman owners of Big Creek and Soquel Ditches and water rights on the Fresno River, but with the obligation of serving the flume of the California Lumber Company with water through various feeder ditches between Soquel and Madera. Water at the lower end of the flume was to be dumped into the canal just below the dam for irrigation. This arrangement was continued with the Madera Sugar Pine Company until about 1930 when the use of the flume was discontinued.

In 1877 the Friedlander and Chapman interests show up on the records as "Fresno Dam and Canal Company" and in 1878 the California Lumber Company had become "Madera Flume and Trading Company", the predecessor of the Madera Sugar Pine Company.

Friedlander died in July, 1878, and, in the interim, his affairs had apparently become quite involved through bank borrowings and property transfers to various individuals. These involvements led to lawsuits with his widow who was his executor, and, after many complications and unravellings, left the irrigation properties and water rights and a consid-

erable acreage of the Friedlander land in the hands of E. W. Chapman, Thomas E. Hughes, Wm. H. Howard, R. M. Wilson, A. R. Campbell-Johnston and R. L. Dixon, Trustee. These properties also included lands that were capable of irrigation by the water and works of the Fresno Dam and Canal Company.

MADERA CANAL & IRRIGATION CO.

On December 8, 1888, these gentlemen organized the Madera Canal and Irrigation Co. to acquire, hold and dispose of water and water rights. MC&I Co. was to sell water rights to irrigable lands @ \$5.00 an acre and make an annual tax of not less than \$1.00 per acre for the use of the water. This included Howard and Wilson Colonies and John Brown Colony near Madera, and to other water users. These colonies were organized to include lands owned by the organizers of the Madera Canal and Irrigation Company, this being the epoch when the building of the transcontinental railroads and the development of the west was bringing a boom to California irrigation and agriculture and colonization plans of all sorts were being promulgated. An average of about 15,000 acres a year were irrigated by the company in the vicinity of Madera.

Apparently, life went along fairly even for the MC&I Co. for several years until the stock of the company was acquired by the Pacific Mutual Life Insurance Company in 1898. A few years later, N. B. Kellogg, an attorney for the company who was also attorney for Spring Valley Water Company (a utility serving the East Bay area) conceived the idea of utilizing the Adobe and Archibald foothill reservoirs and increasing the MC&I Co. water supply by conserving the flood waters of the Fresno River.

To cover the costs the company issued 5% bonds in the amount of \$100,000 in 1903 for acquisition of

FRESNO RIVER WATER FOR IRRIGATION

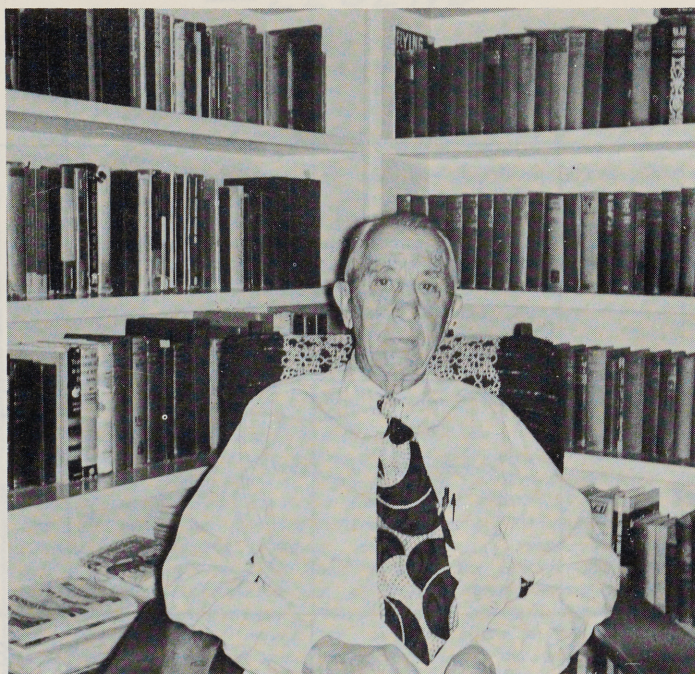
lands and construction of the reservoirs, which were designed and built by I. Tielman, a civil engineer of Fresno who had been connected with the building of the lumber flume for the California Lumber Company. I am not sure how the insurance company got in on the deal. There was a Dr. Moore who was a stockholder in the PM LI Co. who I believe advanced the money for the bonds. Later, in the settlement of the affairs of Dr. Moore, the bonds were turned over to the insurance company which found itself saddled with the obligation of operating a utility and trying to collect bond interest.

The use of these reservoirs was immediately attacked by Miller and Lux, vast landholders, who claimed the flood water of the river for flooding raparian pasture lands on the lower Fresno. The litigation resulted in a decree in the Merced County Court giving Miller and Lux the flood waters and enjoining the use of the reservoirs by MC&I Co. This left Pacific Mutual Life Insurance Co. with a white elephant on their hands in the shape of the MC&I Co. stock and bonds and a lot of water right contracts outstanding that would not expire until 1938.

The insurance company operated the canal company barely making expenses, until 1939 when they sold out their interests for a very nominal sum to C. A. Clark and C. J. Emmert, local Madera men.

Later, Clark died and Emmert acquired the whole interest and operated the company until 1951 when the Madera Irrigation District purchased the physical properties and water rights of the MC&I Co. for \$225,000 and included them in the larger and more extensive works of the District which it now operates. This combines the water of the Fresno River with water of the San Joaquin River which the District re-

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HARRY BARNES

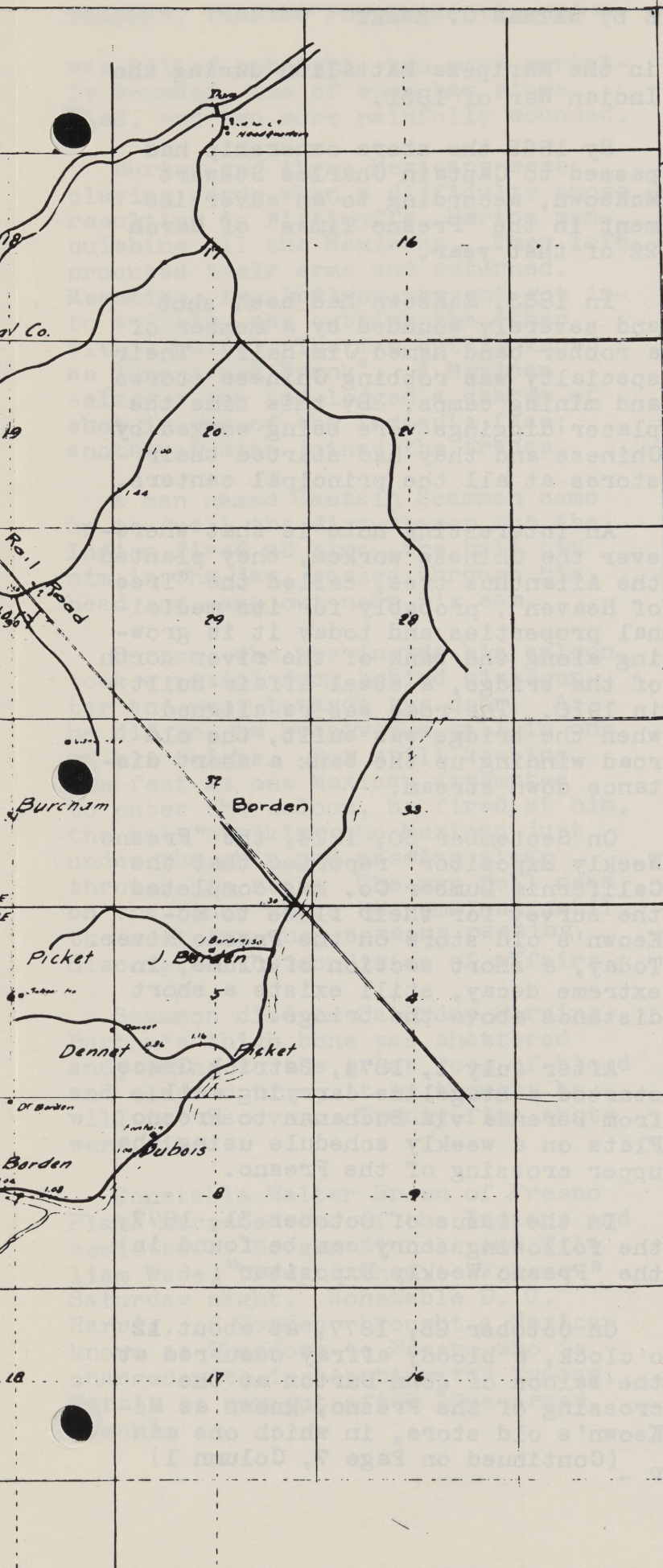
Harry Barnes is no stranger to the matter of water for Madera County and adjacent areas. Having graduated from University of California's College of Civil Engineering in 1906, Mr. Barnes was employed by the U.S. Department of Agriculture in their Office of Irrigation Investigations in 1910.

From 1914 - 1917 he was engineer for the Madera Canal & Irrigation Co. And, until 1920, was with the Water Resources Branch of California State Engineering Dept. In that year he went with the newly-formed Madera Irrigation District.

In 1923 the San Joaquin River Water Storage District was formed in cooperation with the Miller & Lux interests to store and develop water of the San Joaquin River. Mr. Barnes was Chief Engineer of the S.J.R.W.S. District until it was dissolved in 1929.

He returned to Madera and was Chief Engineer of the Madera Irrigation District until his resignation in 1950. Since then, he has been in private consulting practice.





— LEGEND —

Appropriation 26700 cubic feet of water flowing per minute from the Fresno river at a point 37 chains (more or less) N. E. where section line between sections 8 and 17 crosses Fresno River (T. 11 S. R. 18 E.) to be diverted by means of a dam across Fresno River at said point, thence into a flume 30 by 60 feet long, and thence into a canal 20 feet wide at the bottom, sixty feet wide at top and 6 feet deep, for the irrigation of lands in Townships 11 and 12 S. R. 18 E. and other lands in Fresno, (now Madera County,) according to notice of appropriation posted at said point on October 23rd. 1872, by I. Friedlander and recorded in Recorder's office Fresno County, October 24th 1872 in Book "C" Mining claims, pages 355 et seq.

— STATEMENT —

In September 1888, I was in the employ of Thos. E. Hughes of Fresno, a real estate broker, and the holder of the majority of the shares of the Madera Canal and Irrigation Co. At that time he sent me to what is now Madera County to look after his canal interests there, and as I was leaving his office in Fresno, he took from his desk the map of which the herewith is a copy and handed it to me with the statement that said map was a tracing of the original map of what was known as the Foot system of canals and ditches of the Madera Canal and Irrigation Company. This map was in my possession when I was superintendent for said company in 1889 and has been continuously in my possession since that time, and until delivered by me to the Madera Canal and Irrigation Co. in December 1914.

Signed, B. W. Child Feb. 2nd 1915.

— ORIGINAL MAP —

of the

— CANAL SYSTEM —

of the

Madera Canal and Irrigation Co.

This map compiled at some date between those of the building of the Southern Pacific R.R. through Madera County, and the location of the town of Madera Railroad right of way granted March 7th, 1872. Town of Madera located June 10th, 1875.

This map traced from original formerly in possession of B. W. Child and is a true and correct copy thereof.

Signed Harry Baruso Feb. 2nd 1915.

One of the first trading posts in what is now Madera County was Major James Savage's post at the upper crossing of the Fresno River which is about where the Raymond to Coarse-gold road crosses the river today.

It was set up in the spring of 1850 and destroyed by Indians in the middle of December. Dr. Bunnell in "Discovery of the Yosemite" says that three clerks were killed there on December 20, 1850, and were buried on January 6, 1851. Thus commenced a series of burials in this locality and period which reached twenty-five, seven killed in one night, according to Mr. Preston Emerick who lives in the neighborhood.

Elliott's "History of Fresno County" says the area was re-occupied in 1852 by John Letford or Ledford and a man named Carson. They soon sold to John L. Hunt and John Robert Nichols; Nichols, in turn selling to James Roan or Roane. No dates are given for these transactions but mention is made that in 1856, Tom J. Allen kept a restaurant and bar at Roan's store while holding position of Justice of the Peace.

When Fresno County was formed in 1856, the polling place for Precinct No. 3 was at Hunt's on the Fresno. It was in '56 that a member of the Hunt family died and was buried on the hill northwest of the crossing. It is the only marked grave remaining with the following carved on a headstone: "Sacred to the memory of R.J.F. Hunt, Died January 4, 1856, age 23 years and eleven months.

It was in 1856 that a store kept by two Italians, a short distance from the Hunt and Roan establishment was burned down. It was suspected to be the work of incendiaries.

Hunt served several terms as Supervisor and Roan also held public office. They had previously served

in the Mariposa Battalion during the Indian War of 1851.

By 1865 the store ownership had passed to Captain Charles Stewart McKeown, according to an advertisement in the "Fresno Times" of March 22 of that year.

In 1863, McKeown had been shot and severely wounded by a member of a robber band named Jim Hall. Their specialty was robbing Chinese stores and mining camps. By this time the placer diggings were being worked by Chinese and they had started their stores at all the principal centers.

An interesting note is that wherever the Chinese worked, they planted the Ailanthus tree, called the "Tree of Heaven", probably for its medicinal properties and today it is growing along the bank of the river north of the bridge, a steel affair built in 1910. The road was re-aligned when the bridge was built, the old road winding up the bank a short distance down stream.

On September 30, 1874, the "Fresno Weekly Expositor" reported that the California Lumber Co. has completed the survey for their flume to McKeown's old store on the Fresno River. Today, a short section of flume, in extreme decay, still exists a short distance above the bridge.

After July 1, 1874, Patrick Grace started a stageline carrying mail from Berenda via Buchanan to Fresno Flats on a weekly schedule using the upper crossing of the Fresno.

In the issue of October 31, 1877, the following story can be found in the "Fresno Weekly Expositor":

On October 25, 1877, at about 12 o'clock, a bloody affray occurred at the saloon of John Burton at the crossing of the Fresno, known as McKeown's old store, in which one man

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TRADERS, TRADING POSTS (Continued)

was killed outright, two more mortally wounded, one of whom has since died, and two more painfully wounded.

Burton and three Mexicans were playing cards when a difficulty arose resulting in fisticuffs, Burton vanquishing all the Mexicans. They left, procured their arms and returned. Meantime, two Indians present got into a fight, one cutting the other with a knife. The man cut is known as "One-Armed Frank". A Mexican seized a gun and lodged a charge of shot in one of the Indian's face; another Indian joined the fracas.

A man named Captain Scammon came up to quell the disturbance but the Indian fired at him: the ball hit him in the jaw, passed through his head and came out near his ear.

Burton, who was inside his saloon, took a pistol from behind his counter and went towards the door. As he did so, he received a ball in one of his thighs. But still keeping his feet as one Mexican attempted to enter the saloon, he fired at him, the ball striking the Mexican just under the chin and passing clear through his neck. The man fell dead on the floor where he remained until the next day when someone passing discovered the condition of affairs.

Scammon died on Saturday morning. Burton's thigh bone was shattered and, owing to the great loss of blood and elapsed time, it is thought he will not recover. Twenty-five shots were fired.

Constable Walter Brown of Fresno Flats arrested two of the Indians and assisted by Morgan Nichols and William Wade, brought them to Fresno Saturday night. Constable D. C. Harris, of Borden, brought a Mexican known as Theodore to Fresno who is charged with instigating the fracas. Harris is now out after "One-Armed Frank".

FRESNO RIVER WATER USE (Continued)

ceives under agreement with the U. S. Bureau of Reclamation.

EARLIER FORMATION ATTEMPTS

Historical reference can be made to an earlier attempt to form an irrigation district in Madera County. In 1888 a district of 280,000 acres was formed under the Wright Act to take water from the San Joaquin River at the old Temperance Flat damsite. Bonds in the amount of \$850,000 were authorized but not sold.

Litigation with Miller and Lux over the proposed use of San Joaquin River water resulted and it was considered better to disorganize rather than to continue long and expensive litigation. This was done by a vote held in the district in 1893, and, after clearing up its indebtedness, it was dissolved by action of the Superior Court of Madera County on April 18, 1896. The slate was ultimately wiped clean in respect to any land titles that might have been affected by unpaid assessments of the district.

(To be Continued)

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PRESIDENT'S MESSAGE

As this issue of the "Historian" was going to press in December, 1962, the Society was saddened to learn of the death of Harry Barnes, author of "History of Use of Fresno River Water for Irrigation".

Mr. Barnes had resided in Madera 48 years and was completing a final report on water rights of the Fresno River at the time of his death.

* * * * *

The executive board of the Madera County Historical Society expresses sincere appreciation to all for their fine cooperation during 1962.

As members of the Society, the most important contribution we can make to 1963 is the promotion of new members.

A good way to interest new members is to be on the lookout for people with items of historical interest. They may be disposing valuable contributions without realizing their merit. Many of these people would like to join us but need our members to show them the way. Please remember that more active members means a faster pathway to our Museum.

Maud Lindemann
President



Gazing toward the camera above, these Millerton residents depict a day long past. From the collection of Mrs. H. Clay Daulton.